

Exhibit D

BARNES & THORNBURG LLP

William John Leeder, III
(616) 742-3979
wleeder@btlaw.com

Suite 1000
171 Monroe Avenue, NW
Grand Rapids, MI 49503-2694 U.S.A.
(616) 742-3930
Fax (616) 742-3999

www.btlaw.com

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Via Email

Counsel for Plaintiffs and Defendants

**Re: *In re National Prescription Opiate Litigation*
No. 1:17-MDL-2804-DAP**

Counsel:

H. D. Smith, LLC ("H. D. Smith") hereby provides notice that a document containing privileged and/or protected content was inadvertently produced in the above-captioned matter. Specifically, the document Bates stamped HDS_MDL_00218628 – HDS_MDL_00218630 was inadvertently produced and has been attached as Exhibit 44 to (PSJ9, Dkt. 2094), Plaintiffs' Memorandum in Opposition to Non-RICO Small Distributors' Motion for Summary Judgment Based on Their *De Minimis* Status. This document is protected by the attorney-client privilege and the work product doctrine.

Pursuant to Paragraphs 54, 55 and 56 of Case Management Order No. 2: Protective Order entered in this proceeding (CMO No. 2, Dkt. No. 441), H. D. Smith requests that you immediately cease review and return or destroy all copies of this document, delete from your work production or other materials any quoted or paraphrased portions of the document, ensure that this document, and the information contained in it, is not disclosed in any manner to any Party or non-party, and comply fully with the additional provisions of paragraph 55 of the Protective Order. H. D. Smith further requests that you immediately stop any use of this document excerpt as provided for in paragraph 56 of the Protective Order.

Very truly yours,



William J. Leeder, III

Service E-Mails: mdl2804discovery@motleyrice.com;
xALLDEFENDANTS-MDL2804-Service@arnoldporter.com

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